

12/21/01
JG961 U.S.

12-31-01

A

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Examiner _____
Group Art Unit _____

Attorney's
Docket
No. 59331-AZ/JPW/SHS

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

December 21, 2001

J1011 U.S. PRO
10/032162
12/21/01

S I R:

This is a request for filing a _____ CONTINUATION

☒ DIVISIONAL _____ CONTINUATION-IN-PART application under

☒ 37 C.F.R. §1.53(b) _____ 37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/602,846 _____ filed on June 23, 2000 _____ of

James M. Binley, Norbert Shuelke, William C. Olson, Paul J. Maddon, John P. Moore for
Inventor(s)

STABILIZED VIRAL ENVELOPE PROTEINS AND USES THEREOF

Title of Invention

1. ☒ Enclosed is a copy of the prior application, as originally
filed and an affidavit or declaration verifying it as a
true copy.

2. ☒ A verified statement to establish small entity status under
37 C.F.R. §1.9 and 1.27

_____ is enclosed.

☒ was filed in the prior application and such status
is still proper and desired (37 C.F.R. §1.28(a)).

3. ☒ The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE		
					SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
Total Claims	34-20	=	14	X	9	18	=	\$126.00	\$ ⁰
Independent Claims	5-3	=	2	X	42	84	=	\$ 84	\$ 0
Multiple Dependent Claims Presented: <u> </u> Yes <u> X </u> No					140	280	=	\$ 0	\$ 0
*If the difference in Col. 1 is less than zero, enter "0" in					BASIC FEE			\$ 370	\$ 740
					TOTAL FEE			\$ 580	\$ 0.

*If the difference in Col. 1 is
less than zero, enter "0" in
Col. 2.

Applicants: James M. Binley, et al.
Serial No.: NOT YET KNOWN
Filed: December 21, 2001
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4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- X Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 580.00 is enclosed.
7. Cancel claims
8. X Amend the specification by inserting before the first line the sentence: --This is a continuation X division of application Serial No. 09/602,864, filed June 23, 2000.--
9. X 20 Sheet(s) of informal X formal drawing(s) is/are enclosed.
10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. Priority of application No. filed on in (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No. , filed .
12. X The prior application is assigned of record to Progenics Pharmaceuticals, Inc, Aaron Diamonds AIDS Research Center (ADARC).
13. X A preliminary amendment is enclosed.
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (40,837); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923) and Raymond A. Diperna (Reg. No. 44,063).

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- (a) X The power appears in the original papers in the prior application.
- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant,
or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036


15. X Also enclosed Express Mail Certificate of Mailing No.
EM 082 560 242 US, dated December 21, 2001

16. X I hereby verify that the attached papers are a true copy
of prior application Serial No 09/602,846 as originally
filed on June 23, 2000.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

December 21, 2001

Date


Signature John P. White, Reg. No. 28,678

Spencer H. Schneider, Reg. No. 45,923

 INVENTOR(S)

 ASSIGNEE OF COMPLETE INTEREST

 X ATTORNEY OR AGENT OF RECORD

 FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James M. Binley, et al.
Serial No. : Not Yet Known (divisional of U.S. Serial
No. 09/602,864, filed June
23, 2000)
Filed : December 21 , 2001
For : STABILIZED VIRAL ENVELOPE PROTEINS AND
USES THEREOF

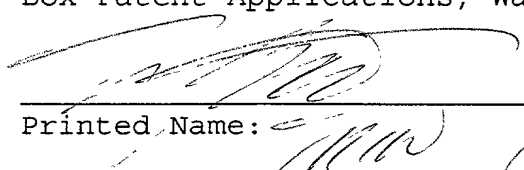
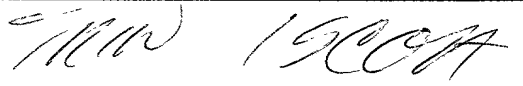
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New York, New York 10036
December 21, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTN: Box Patent Applications

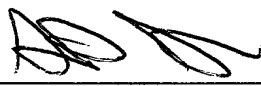
SIR:

EXPRESS MAIL CERTIFICATE OF
MAILING FOR ABOVE-IDENTIFIED APPLICATION

"Express Mail" mailing label number: EM 082 560 242 US
Date of Deposit: December 21, 2001
I hereby certify that this paper or fee is being deposited with
the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 C.F.R. §1.10 on the date indicated
above and is addressed to the Assistant Commissioner for Patents,
Box Patent Applications, Washington, D.C. 20231.

Printed Name:  

Respectfully submitted,


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Registration No. 28,678
Spencer H. Schneider
Registration No. 45,923
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